

**From:** "Richard A Luthmann" <[rluthmann@luthmannfirm.com](mailto:rluthmann@luthmannfirm.com)>

**Date:** October 8, 2015 at 7:06:51 PM PDT

**To:** "Kelvin" [REDACTED]

**Cc:** "Arthur Sharp" <[Arthur@commercialmetalsnyc.com](mailto:Arthur@commercialmetalsnyc.com)>, [REDACTED]

**Subject:** Re: Booking Harness wire

I cannot confirm my client's availability as of now. There was a simple misunderstanding as between the parties and the value of the contract has not been substantially impaired. Are you available later in the day? Are you planning to be in New York past the holiday weekend?

Regards,

Richard A Luthmann

Luthmann Law Firm PLLC

1811 Victory Boulevard

Staten Island, NY 10314

Tel: (718) 447-0003

Fax: (347) 252-0254

[rluthmann@luthmannfirm.com](mailto:rluthmann@luthmannfirm.com)

Sent from my Verizon 4G LTE Smartphone

----- Reply message -----

**From:** "Kelvin" [REDACTED]

**To:** "Richard A Luthmann" <[rluthmann@luthmannfirm.com](mailto:rluthmann@luthmannfirm.com)>

**Cc:** "Arthur Sharp" <[Arthur@commercialmetalsnyc.com](mailto:Arthur@commercialmetalsnyc.com)> [REDACTED]

**Subject:** Booking Harness wire

**Date:** Thu, Oct 8, 2015 7:18 PM

Mr. Luthmann,

Since the booking that I provided to Mr. Sharp for loading yesterday and today was not performed, it expired. A new one has to be requested. Prior to getting a new booking, I like to know where I can see the merchandise tomorrow at 9 a.m. After the inspection, I will arrange the time of loading.

Thank you.

Best regards,

Kelvin  
International Inc

Sent from my iPhone

On Oct 8, 2015, at 6:19 PM, Richard A Luthmann <[rluthmann@luthmannfirm.com](mailto:rluthmann@luthmannfirm.com)> wrote:

Mr. ,

There was never any Escrow Agreement. My directions were to remit the wire to fulfill the agreement. The directions were relayed from my client. The wire was received and re-transmitted to fulfill the agreement. My client stands ready willing and able to perform. It is my understanding that my client is waiting for you.

Please provide the necessary details to my client so performance can be made.

Regards,  
Richard A Luthmann  
Luthmann Law Firm PLLC  
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Staten Island, NY 10314  
Tel: (718) 447-0003  
Fax: (347) 252-0254  
[rluthmann@luthmannfirm.com](mailto:rluthmann@luthmannfirm.com)  
Sent from my Verizon 4G LTE Smartphone

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From: "Kelvin" [REDACTED]  
To: "Arthur Sharp" <[Arthur@commercialmetalsnyc.com](mailto:Arthur@commercialmetalsnyc.com)>  
Cc: [REDACTED]  
"rluthmann@luthmannfirm.com" <[rluthmann@luthmannfirm.com](mailto:rluthmann@luthmannfirm.com)>  
Subject: Booking Harness wire  
Date: Thu, Oct 8, 2015 5:03 PM

Arthur,

I went to Mr. Luthmann's office because the deposit was sent to his custody pending our loading of the 2

containers. I sought help from him to contact you so we could complete the loading of materials. There never was any threat from me.

Booking for the loading of 2 containers which were to happen yesterday and today were sent to you by email and text. We touched base Tuesday and you offered to pick me up at the airport on Wednesday morning for loading at 11:00 a.m. I went to your yard address for the loading and there was no such place. I called you numerous times and you didn't respond.

Today we are supposed to load the 2nd container. I received no call from you and I was forced to seek help from the DA's office.

At this moment per our contract, I just like your attorney to return the funds to me. Until you have a yard I can see the materials then we can resume our business relationship. In the meantime please return my deposit of \$31,500.00.

Thank you and looking forward to see the refund transaction from Mr. Litman.

Best regards,

Kelvin

International Inc

Sent from my iPhone

On Oct 8, 2015, at 4:15 PM, Arthur Sharp <[Arthur@commercialmetalsnyc.com](mailto:Arthur@commercialmetalsnyc.com)> wrote:

Kelvin:

Commercial Metals NY attorney Richard Luthmann has informed me that you came to his office and caused a scene, which upset his support staff with threats and disruptive attitude... I find this disturbing and uncalled for. Commercial Metals NY has always acted in a commercial and reasonable manner with you and your staff. We do not appreciate you going to places we do business unannounced and then claim that we defrauded you to law enforcement authorities. We thought you were experienced and sophisticated in the operation of doing business and I was saddened to hear that there was some type of miscommunication. This is not the way we do business. Again we do not appreciate you handling yourself this way.

Please send us a booking for we can load your material and send it out as soon as possible. Commercial Metals NY has always

cooperated and followed any request you needed to ship your material. Please cooperate on your end and send us a booking as soon as possible and not harass or intimidate and bully Richard Luthmann's support staff which is totally uncalled for.

Again please send us a booking for we could load your containers ASAP as per our sales order. Attached is a copy of our sales order.

Thanks

Arthur Sharp

<SO 10.1.15 signed.pdf>

<Sales Order 9-30-15 harness wire.doc>

[REDACTED]

**From:** "Richard A. Luthmann" <[rluthmann@luthmannfirm.com](mailto:rluthmann@luthmannfirm.com)>

**Date:** October 8, 2015 at 4:20:08 PM PDT

**To:** [REDACTED]

**Cc:** "Arthur Sharp" <[Arthur@commercialmetalsnyc.com](mailto:Arthur@commercialmetalsnyc.com)>, [REDACTED]

**Subject:** RE: Booking Harness wire

I will try to reach the clients, but it is after-hours right now.

Regards,

Richard A. Luthmann, Esq., JD LLM

The Luthmann Law Firm, PLLC  
A Boutique Law Practice  
Offices in New York and New Jersey



**PLEASE NOTE NEW ADDRESS:**

Staten Island, NY Office and NY Mailing Address  
1811 Victory Boulevard  
Staten Island, NY 10314

Iselin, NJ Office and NJ Mailing Address  
33 Wood Avenue South  
Suite 600  
Iselin, NJ 08830

Manhattan Offices at:  
49th Street and 5th Avenue  
Tel: 718 447-0003  
Fax: 347 252-0254

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**FEE NOTICE TO CLIENTS:** The minimum attorney fee rate is \$425.00 per hour. The minimum support personnel rate is \$115.00 per hour. In the absence of a formal engagement letter or other agreement to the contrary, the Luthmann Law Firm PLLC will bill you at these rates, which you expressly agree to pay.

If you have received this communication in error, please notify the sender immediately by the telephone number above and destroy the message.



From: Kelvin [mailto:[REDACTED]]  
Sent: Thursday, October 8, 2015 7:19 PM  
To: Richard A Luthmann <[rluthmann@luthmannfirm.com](mailto:rluthmann@luthmannfirm.com)>  
Cc: Arthur Sharp <[Arthur@commercialmetalsnyc.com](mailto:Arthur@commercialmetalsnyc.com)>; [REDACTED]  
Subject: Re: Booking Harness wire

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To: "Arthur Sharp" <[Arthur@commercialmetalsnyc.com](mailto:Arthur@commercialmetalsnyc.com)>



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